

Amendments to the Drawings

The attached sheets of drawings include changes to Figs. 3, 7 and 11 and replace original sheets 2 and 9. Specifically, references 330, 410 and 1135 have been deleted.

With respect to the Examiner's objections, we note that item 118 is described at page 28, line 21 and on, and item 1108 on page 33 at line 15. Item 106 is shown on Fig. 8 in the upper left-hand corner.

REMARKS

Claims 3, 5-10, 15-17, and 19-29 are pending in the application and stand rejected.

Objections to the claims

Claims 25, 28 and 29 stand objected to for the spelling of the word “unauthorised.” This is the British English spelling of the word “authorized.” Applicants wish to bring the Examiner’s attention to section 608.01 of the Manual of Patent Examining Procedures, which clearly directs that “Examiners should not object to the specification and/or claims in patent applications merely because applicants are using British English spellings (e.g., colour) rather than American English spellings. It is not necessary to replace the British English spellings with the equivalent American English spellings in the U.S. patent applications. Note that 37 CFR 1.52(b)(1)(ii) only requires the application to be in the English language. There is no additional requirement that the English must be American English.” [emphasis in the original] Applicants thus respectfully request the Examiner to withdraw this objection.

Rejection under 35 U.S.C §102

Claims 3, 5-7, 9, 15-17, 19-22, 25, 26, 28 and 29 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,157,719 to Wasilweski. In particular, the Examiner finds that, with regard to claims 25 and 29, Wasilweski discloses all of the claimed limitations. Applicants have reviewed the reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner’s characterization of this reference.

Although superficially similar in scope and goal, Wasilweski and the presently claimed inventions differ in a very significant detail. Wasilweski is concerned solely with the protection of the server from unauthorized access through a set-top box that may have been modified. Wasilweski has no interest in protecting the user of the set-top box (i.e. the TV viewer) from unauthorized access to the TV signal he may be watching – which makes sense as there is really little of value for anyone to intercept a cable TV signal for the purpose of altering or somehow

compromising it, besides perhaps some initial amusement. The presently claimed invention, on the other hand, is concerned with the security of the communications in both directions – that is, it is intended to protect the data server from unauthorized access as much as the user from being presented with a display of the data from the server that has been tampered with. For this reason, the trusted component of the present invention includes a display controller for controlling the display of the image data received from the server from within itself (i.e. trusted component). A very careful read of Wasilweski reveals that this is not the case for the secure element disclosed therein.

Specifically, Wasilewski teaches that “the DHTCSE (DHTC secure element) 627 stores keys, interprets EMMs [*entitlement management messages*] and ECMs [*entitlement control messages*], and produces FPMs [*forwarded purchase messages*]... In addition, DHCTSE 627 provides encryption, decryption, digest, and digital signature services for other applications executing on DHCT 333... DHCTSE 627 further records purchase information for impulse-purchasable services such as IPPV [*impulse pay-per-view*] and stores the purchase data securely until the data is successfully forwarded via a forwarded purchasing message to control suite 607. DHCTSE 627 maintains MSK [*multi-session key*] for the EAs [*entitlement agents*], the private/public key pairs for DHCT 333, and the public keys of the conditional access authorities and the entitlement agents.” Clearly, the DHTCSE is solely concerned with the security and protection of the head-end (i.e. data server) from receiving unauthorized requests for data. There is nothing anywhere in Wasilewski that could be understood as teaching that the DHTCSE *controls* in any way the actual display of the data on the TV. Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Wasilewski discloses this feature in accordance with 37 C.F.R. 1.104(c)2.

Applicants note that heretofore only claim 5 specifically recited that the trusted component controls display of the image data. To more clearly define the novelty of the invention over the art on record, all independent claims (i.e. 25, 26, 28 and 29) have been amended to explicitly recite this limitation, and claim 5 has therefore been canceled.

In view of the above, Applicants respectfully submit that independent claims 25, 26, 28 and 29 are in fact patentable over Wasilewski and request the Examiner to kindly reconsider and pass this case to issue.

Claims 6-10 and 16 depend from claim 25, claims 15 and 17 depend from claim 28, claim 27 depends from claim 26, and claims 19-24 depend from claim 29. In view of the above discussion, it is submitted that claims 25, 26, 28 and 29 are allowable, and for this reason claims 6-10, 15-17, 19-24 and 27 are also allowable at least based on their dependencies.

Rejection under 35 U.S.C §103

Claims 8 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski in view of U.S. Pat. No. 6,236,971 to Stefik, and claims 10, 23 and 24 in view of Wasilewski and U.S. Pat. No. 5,990,927 to Hendricks et al. Applicants traverse the Examiner's rejection and especially his characterization of the disclosure of Stefik, and further note that claims 8, 10, 23, 24 and 27 are all dependent on allowable independent claims as discussed immediately above, and are therefore allowable at least based on their dependencies.

Regarding the prior art made of record by the Examiner but not relied upon, Applicants believe that this art does not render the pending claims unpatentable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.


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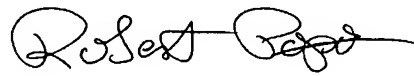


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Respectfully submitted,



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Attachments: two sheets of drawings